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08-20-01

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

Attorney Docket No. 37070/205236

First Inventor Steve J.D. Bell

Title Calcium Phosphate Particles as Mucosal Adjuvants

Express Mail Label No. EL603000859US

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 39]  
(preferred arrangement set forth below)
- Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 6]
5. Oath or Declaration [Total Pages 3]
- a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
  - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATIONS PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement of Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☐ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17. ☐ Other: \_\_\_\_\_

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No: 09 / 496,771  
Prior application information: Examiner \_\_\_\_\_ Group / Art Unit: \_\_\_\_\_

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied  
under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference.  
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Label

(Insert Customer No. or Bar Code label here)

or ☐ Correspondence address below

|         |                         |           |              |          |              |
|---------|-------------------------|-----------|--------------|----------|--------------|
| Name    | John S. Pratt           |           |              |          |              |
|         | Kilpatrick Stockton LLP |           |              |          |              |
| Address | 1100 Peachtree Street   |           |              |          |              |
|         | Suite 2800              |           |              |          |              |
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| Country | USA                     | Telephone | 404.815.6500 | Fax      | 404.815.6555 |

|                   |                           |                                   |          |
|-------------------|---------------------------|-----------------------------------|----------|
| Name (Print/Type) | Kristin D. Mallatt        | Registration No. (Attorney/Agent) | 46,895   |
| Signature         | <i>Kristin D. Mallatt</i> | Date                              | 08/17/01 |

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

TOTAL AMOUNT OF PAYMENT (\$ ) 355

Application Number  
 Filing Date 08/17/01  
 First Named Inventor Steve J.D. Bell  
 Examiner Name  
 Group / Art Unit  
 Attorney Docket No. 37070/205236

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 11-0855

Deposit Account Name KILPATRICK STOCKTON LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Fee Code | Entity (\$) | Small Fee Code | Entity (\$) | Fee Description        | Fee Paid |
|----------------|-------------|----------------|-------------|------------------------|----------|
| 101            | 710         | 201            | 355         | Utility filing fee     | 355      |
| 106            | 320         | 206            | 160         | Design filing fee      |          |
| 107            | 490         | 207            | 245         | Plant filing fee       |          |
| 108            | 710         | 208            | 355         | Reissue filing fee     |          |
| 114            | 150         | 214            | 75          | Provisional filing fee |          |

SUBTOTAL (1) (\$ ) 355

### 2. EXTRA CLAIM FEES

|                    |   |       |   |   |   |    |   |   |
|--------------------|---|-------|---|---|---|----|---|---|
| Total Claims       | 9 | -20** | = | 0 | X | 9  | = | 0 |
| Independent Claims | 3 | -3**  | = | 0 | X | 40 | = | 0 |
| Multiple Dependent |   |       |   |   | X |    | = | 0 |

| Large Fee Code | Entity (\$) | Small Fee Code | Entity (\$) | Fee Description  |
|----------------|-------------|----------------|-------------|--|
| 103            | 18          | 203            | 9           | Claims in excess of 20                                     |
| 102            | 80          | 202            | 40          | Independent claims in excess of 3                          |
| 104            | 270         | 204            | 135         | Multiple dependent claim, if not paid                      |
| 109            | 80          | 209            | 40          | ** Reissue independent claims over original patent         |
| 110            | 18          | 210            | 9           | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ ) 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Fee Code | Entity (\$) | Small Fee Code | Entity (\$) | Fee Description  | Fee Paid |
|----------------|-------------|----------------|-------------|--|----------|
| 105            | 130         | 205            | 65          | Surcharge - late filing fee or oath  |          |
| 127            | 50          | 227            | 25          | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 139            | 130         | 139            | 130         | Non-English specification  |          |
| 147            | 2,520       | 147            | 2,520       | For filing a request for reexamination                                     |          |
| 112            | 920*        | 112            | 920*        | Requesting publication of SIR prior to Examiner action                     |          |
| 113            | 1,840*      | 113            | 1,840*      | Requesting publication of SIR after Examiner action                        |          |
| 115            | 110         | 215            | 55          | Extension for reply within first month                                     |          |
| 116            | 390         | 216            | 195         | Extension for reply within second month                                    |          |
| 117            | 890         | 217            | 445         | Extension for reply within third month                                     |          |
| 118            | 1,390       | 218            | 695         | Extension for reply within fourth month                                    |          |
| 128            | 1,890       | 228            | 945         | Extension for reply within fifth month                                     |          |
| 119            | 310         | 219            | 155         | Notice of Appeal   |          |
| 120            | 310         | 220            | 155         | Filing a brief in support of an appeal                                     |          |
| 121            | 270         | 221            | 135         | Request for oral hearing   |          |
| 138            | 1,510       | 138            | 1,510       | Petition to institute a public use proceeding                              |          |
| 140            | 110         | 240            | 55          | Petition to revive - unavoidable   |          |
| 141            | 1,240       | 241            | 620         | Petition to revive - unintentional   |          |
| 142            | 1,240       | 242            | 620         | Utility issue fee (or reissue)   |          |
| 143            | 440         | 243            | 220         | Design issue fee   |          |
| 144            | 600         | 244            | 300         | Plant issue fee  |          |
| 122            | 130         | 122            | 130         | Petitions to the Commissioner  |          |
| 123            | 130         | 123            | 130         | Petitions related to provisional applications                              |          |
| 126            | 180         | 126            | 180         | Submission of Information Disclosure Stmt                                  |          |
| 581            | 40          | 581            | 40          | Recording each patent assignment per property (times number of properties) |          |
| 146            | 710         | 246            | 355         | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149            | 710         | 249            | 355         | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179            | 710         | 279            | 355         | Request for Continued Examination (RCE)                                    |          |
| 169            | 900         | 169            | 900         | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ ) 0

## SUBMITTED BY

Complete (if applicable)

|                   |                    |                                 |          |           |              |
|-------------------|--------------------|---------------------------------|----------|-----------|--------------|
| Name (Print/Type) | Kristin D. Mallatt | Registration No. Attorney/Agent | 46,895   | Telephone | 404.815.6147 |
| Signature         | Kristin Mallatt    | Date                            | 08/17/01 |           |              |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Steve J.D. Bell, et al.

Serial No.:

Examiner:

Filed: August 17, 2001

Group Art Unit:


For: **CALCIUM PHOSPHATE PARTICLES  
AS MUCOSAL ADJUVANTS**

Box Patent Application  
Assistant Director for Patents  
Washington, D.C. 20231

**CERTIFICATE OF MAILING (37 C.F.R. 1.10)**

Sir:

I hereby certify that this Patent Application Transmittal, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10, Mailing Label No. EL603000859US addressed to Box Patent Application, Assistant Director for Patents, Washington, D.C. 20231.

  
Rebecca L. Smith

Date: August 17, 2001

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